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**Town of North Reading**  
*Massachusetts*

TOWN CLERK  
NORTH READING, MA

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*Community Planning*

**MINUTES**

**Tuesday, November 17, 2015**

Mr. Christopher B. Hayden, Chairperson called the Tuesday, November 17, 2015 meeting of the Community Planning Commission to order at 7:32p.m. in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA.

**MEMBERS**

**PRESENT:** Christopher B. Hayden, Chairperson  
William Bellavance, Vice Chairperson  
Patricia Romeo, Clerk  
Warren Pearce  
Joseph Veno

**STAFF**

**PRESENT:** Danielle McKnight, Planning Administrator  
Debra Savarese, Administrative Assistant

**OTHERS**

**PRESENT:** Michael Prisco, Board of Selectmen/liaison

Mr. Hayden informed all present that the meeting is being recorded.

### **Minutes**

Mrs. Romeo moved, seconded by Mr. Bellavance and voted 5-0:

that the Community Planning Commission vote to accept the minutes of November 3, 2015 as written.

### **Planning Administrator Update**

#### **Budget**

Mrs. McKnight stated that the Board of Selectmen would like the department heads to take into consideration the objectives of their strategic plan, as they work through the budget. There are some items that she thought they may be able to take on if they have the funds (housing production plan, affordable housing/housing plan). These items are on the selectmen's list of objectives. So, for items like this she thought that it might be helpful to talk over what the selectmen have talked about what might be their objectives and then see how that might fit into our budget.

Mr. Prisco stated that he forwarded the strategic plan document to Mrs. McKnight.

Mrs. McKnight stated that she did put it into the dropbox as BOS2016.

Mr. Prisco stated that he thought it would be important for the board to see the whole document. He will come back to another meeting in the future to go over it in detail. There are three objectives that he believes ties in with the planning department. They really cannot achieve those objectives without the board being brought in on them and be willing to take the task on. Then his responsibility will be to go back to the Board of Selectmen to present these tasks and request the funds.

Mr. Hayden stated that if the board decides to take them on, what order of importance are they in.

Mr. Prisco stated that there are three objectives that he would like to point out at this time, the first being the Affordable Housing Plan.

Mrs. McKnight stated that a housing production plan which essentially would be an affordable housing plan for the town would cost approximately \$20,000.00. MAPC does a lot of these, so they could either be hired or she could write grants to try to fund it partially. There are a couple of programs that

would not fund it completely, but they may be able to get \$10,000.00 to \$15,000.00 through a grant. What she thought she might be able to do is submit some grants, similar to what she did last year with DLTA, but at the same time submit an item in the budget for the \$20,000.00, if they do not get the grant, they still want to do it. Typically, towns do hire a consultant to do it because it is a lot of data analysis and she would not hesitate to hire MAPC. MAPC will also identify a certain number of units of affordable housing that will need to be created every year. If we do figure out how to do this we would get a "Safe Harbor" from 40B, which would be another benefit. But, really the purpose of doing a housing production plan is to figure out what the town is doing with affordable housing and identify some sites, if they need zoning changes, etc. She would recommend that they try to do this next year and it would also be a housing chapter in the Master Plan.

Mr. Prisco stated that he would like to emphasize that if the board agrees to put it in the budget, it would be an addendum to the level services, so there would be no risk.

Mr. Hayden stated it could be utilized when they do the Master Plan.

Mr. Prisco stated that the second item is the Senior Housing and Assisted Living. The Board of Selectmen have not really put any kind of commitment for a time frame toward this, but the one thing they did say they were going to try to do in 2016 was to try to identify some town-owned parcels. Now that the Carpenter Drive access issue has been cleared up, they still have the town-owned land at the end of the road. But, he believes that it is better suited with the CPC, at least from a standpoint of strategic planning, on how they approach that opportunity. He would like this to be a topic of discussion at this year's budget hearing.

Mrs. McKnight stated that she believes that looking at specific opportunities for senior housing could be worked into the housing production plan project. MAPC does not specifically do this, but could work with someone who did. There are lots of organizations that develop senior housing and assisted living facilities and we could figure out to make this somewhat of an add-on. She is still trying to figure out how much this will cost and still have some people she would need to talk to. She gives a rough estimate of \$5,000.00 to do this kind of work.

Mr. Prisco asked if she would include this in the grant.

Mrs. McKnight stated that she does not believe so.

Mr. Prisco stated that it should be put in the budget separately.

Mr. Veno asked in regard to Carpenter Drive, what are we looking for, a plan?

Mr. Pearce stated that what they need to do is develop a plan for producing this housing. Maybe look for a non-profit developer.

Mr. Prisco stated that he has always been curious about the 10 acres of land. Could we go to an independent company and say that we are going to give them the property, but in exchange we want X amount of housing for the residents of North Reading.

Mr. Pearce stated yes, this was done at 63 Central Street.

Mrs. Romeo stated that they may be able to get some input from other towns. Rowley has spectacular senior housing.

Mr. Prisco stated that a workshop should be held to invite different companies/developers who may be interested.

Mr. Pearce stated that they would need to put all of the parcels together first.

Mrs. Romeo stated that Middleton had a small piece of land. It was early on when they did the project in the center of town with small units. She believes that it was the leading edge.

Mr. Prisco stated whatever funding is needed should be added to the budget.

Mrs. Romeo stated that this needs to be done sooner rather than later.

Mr. Prisco stated that the Board of Selectmen has been looking at this for a long time, but if they do not have the drive from this board he does not see it going anywhere.

Mr. Hayden stated that it is a planning issue.

Mr. Prisco stated that they also have the swan pond property that is owned by the school, but the school is willing to release it.

Mr. Pearce stated that that property is more for affordable housing because senior housing needs to be more centrally located in town.

Mr. Veno stated that to clarify what is being said, this board is looking to put senior housing on Carpenter Drive.

Mr. Hayden stated that is correct.

Mr. Pearce stated that they would prefer it be more like Peabody Court.

Mr. Hayden stated that Peabody Court needs to be renovated.

Mrs. McKnight stated that this is one of the things they would be discovering through the doing the housing production plan, which involves a needs assessment, and that would tell us how much of the senior housing needs to be affordable, how much needs to be market rate, how many units are needed and what is the market for it. This would help us to focus on sites.

Mr. Pearce stated that Mrs. McKnight is speaking more about asking MAPC who would be interested in piggy-backing on this project.

Mr. Prisco stated that they did meet the Under Secretary for housing and she was very willing for us to visit with her and he believes that they should take that opportunity.

Mrs. McKnight stated that there are grant funds for housing and housing planning. There are definitely opportunities, but there is less for senior specific.

Mr. Prisco stated that the final objective would be Transportation Enhancements.

Mrs. McKnight stated that she has had a few conversations with MAPC. This came out of some of the discussions they had with the State when the town entered into the Community Compact Agreement. One of the items mentioned was our transportation problem. The town did get funds to look at some further study on Concord Street for sewerage, but not for transportation at this time. The response was that MAPC is looking at this in our area and it was suggested that she have a conversation with them. So, she had a conversation with MAPC and there were a few things that they recommended. The first is to work with them to do a study or apply for another DLTA grant. There are two things going on: 1) they think it is a really great idea to ask for funds to study paratransit. They would need to do a feasibility study that would include: what is the need, who might use, how many people might use it and how might we possibly enter into a public/private partnership or approach some companies that are already running shuttles, privately, could we work something out with a transportation company. How would we fund it? How would we get the money? Another idea would be part of general suburban mobility study with the other towns in the North Suburban sub region, such as Reading, Stoneham and Wilmington. We are a little bit unique because they already have some public transit. She does believe that it would be helpful to be part of a study like that. She is still working out whether both of these could take place, or whether it would be one grant project, or one contracted project.

Mr. Pearce stated that he could never figure out why there is a bus transit to the North and South of us. Why do we not qualify?

Mrs. Romeo stated that it is because this town is not part of the Merrimack Valley.

Mr. Veno stated that he was told, but cannot remember why.

Mrs. Romeo stated that she has lived here for over 50 years and has seen many studies done on the public transportation and each time they are told that they are not qualified.

Mrs. McKnight stated that this town is never getting an MBTA bus.

Mr. Pearce asked why they would not be able to get MBTA bus in the town.

Mrs. McKnight stated that they do not have the ridership and it was cancelled in 1974.

Mr. Prisco stated that if this project on Lowell Road comes to fruition there may be an opportunity to get the bus because we could design in potentially an area for pick-up and drop-off. The graveled area located at the Rita Mullen Park could be turned into a park and ride.

Mr. Hayden stated that if the town could get a bus to the train station that would be great.

Mr. Pearce stated that there is an area at the Berry Center that is dedicated to the Town of North Reading for sewer. We could put a parking over the discharge area.

Mr. Prisco stated that they want to sell everything on that property.

Mrs. McKnight stated that she is trying to discuss with the contact at MAPC about asking for a grant request to look at this, what amount might that be and to give us an idea of what it would be worth.

Mr. Pearce asked if the town worked with other communities, would this offer the possibility if they have a contract for, say for example: "The Ride", could we get on that contract.

Mrs. McKnight stated not for "The Ride", since we are not eligible. There is a Cross-town Connect Transportation Management Association out in Acton, Littleton, Westford area. They have five or six communities that have partnered together and it is not MBTA service. They have figured out, with their companies, how to share rides and shuttle transportation.

Mrs. Savarese left the meeting.

Mr. Prisco stated that they continue to look at town-owned land, a few parcels have been sold. They are not looking to make a profit on the properties, but would like to have it go back on the tax roll. This board has expertise in this and the Board of Selectmen would like some feedback, if possible. He would like these three items at the December 7<sup>th</sup> Board of Selectmen meeting.

Mr. Prisco thanked Mrs. McKnight for all of her time spent on the J.T. Berry site.



Mr. Hayden once again informed all present that the meeting was being recorded.

**3 Wren Circle/Definitive Subdivision – cont. Public hearing 8:00pm**

Michael O'Neill stated that no changes have been made to the plan since the last time they came in front of the board. They did receive comments from the other departments and they also received a preliminary copy of the Conditional Approval. There were no issues in the approval, but he still needs to get Town Engineer's sign off for the stormwater management plan. The major comment that the engineer had was that he wanted to see the detention pond include the run-off from the house and driveway. The property has a water divide that heads in two different directions. The town engineer requested that the detention pond be put in another location, but to move it to that area will disturb the existing vegetation (woods) and it will eliminate the buffer between the abutters to the property. The detention pond is at the source of where the water is coming from and the area has a fair amount of vegetation removed. There is an advantage to put it where it is currently shown on the plan because the run-off presently runs off onto the Northridge property. The storm events in here to about the 10" storm event, there will actually be no discharge and Northridge will benefit if it is built where it currently is. The land slopes down, so it may be possible to get the roof leaders back up hill and into the detention pond. He added an infiltration trench around the driveway and indicated on the plan that these roof leaders will be connected into an infiltration system. In addition, the Fire Department's requirement that the driveway be 20', they will pave the traditional 10' to 12', and will open up to where the two garages are. The other will be crushed stone and there is a note on the plan that this area is to be reserved for fire department equipment, if needed. He had a meeting last night with the potential buyers and they requested that the location of the stormwater management area be moved, to allow for a front yard and landscaping. He will review these changes with the town engineer. The other comments made by the engineer were from a preliminary subdivision plan. He also asked for a test hole and this has been done. He also requested and Operations & Maintenance plan, that will be provided.

Mrs. McKnight stated that she wanted to be sure that the turn-around for the fire truck was done and Deputy Galvin is satisfied.

Mr. Hayden opened the public meeting.

Attorney Mitchell Kroner, 3 Cannon Hill, Groveland, MA stated that he is representing Chris Herrick of 19 Francis Street. The main objection is that the roadway will be closer to Mr. Herrick's property, instead of Mr. Keyes'; property. Mr. Herrick's family has used this portion of the property for over 40 years. The septic system is being replaced, but part of it is currently in the roadway.

Mr. Hayden stated that this is a problem.

Attorney Kroner stated that they do not want to litigate, but they do have some adverse possession claims that they will assert, if necessary. However, Mr. O'Neill seemed hesitant if they would move a hydrant and two of the poles, and also, ironically the pole that is missing goes to Mr. Herrick's house. If they agree to move the roadway, there are at least 12 pine trees that are going to be removed, and a stone wall on both sides, that are not shown on the plans. He spoke to Mrs. McKnight and asked her if the driveway could be narrowed from the 20', but was told that it could not because of safe & adequate access. They do not understand why it cannot be moved closer to the Keyes' property.

Mr. Hayden stated that the bylaw states that the right-of-way is cleared edge to edge for the roadway.

Mr. Pearce stated that in a full size standard subdivision with a 30' road and 10' on each side for tree lawns, this is the 50'. No trees could be left.

Attorney Kroner stated that this is not the case.

Mr. Pearce stated that he would like to hear what the engineer's comments will be before making a decision.

Michael O'Neill stated that he would like to make a few corrections. Chris Herrick's old system is not in the right-of-way, it is in town property, to the rear of his existing house. The new house and new septic will be more up front. In the examination of the deed for this property there was never any reference to anyone having an easement.

Attorney Kroner stated that he said adverse possession, not easement.

Michael O'Neill stated that the reason the proposed roadway is where it is, is because of the abutter's driveway and they would need to relocate the hydrant and two utility poles and add a retaining wall, to retain the fill. As far as the trees, there are some pine trees, but most of them are deciduous trees and they do not have a branch on them until 15' to 20' in height.

Chris Herrick stated that there is about 25' of green bushy stuff.

Mr. Hayden asked how far the roadway is from the property line.



Michael O'Neill stated that it varies between 15' to 10' from the roadway. There will be no change in the grade for the first 75' in, because they kept the profile of the road pretty much too existing grade, so they do not have to get into a lot of excavation. They also had to maintain the 75' levelling area, So, essentially the change in grade will be 8' from the property line, so any trees along that property line won't be touched.

Attorney Kroner stated that trees will be cut down.

Mr. Hayden stated that they would be cut along the access way. He asked Chris Herrick if any of the trees were on his property.

Chris Herrick stated not on his property.

Mr. Hayden stated that people always rely on their neighbors for a buffer, but the neighbors have a right to cut down their trees.

Mr. Pearce stated that Chris Herrick should speak to the owners of the property and asked them if they can move the road over a little bit.

Chris Herrick stated that he is not against building a home, but the original access was off of Wren Circle.

Mr. Hayden stated that the road is going to be private and anyone who abuts the road will have access to it.

Mr. O'Neill stated that the road is going to be a private way, but he is unsure if the owner of the property has rights to grant egress or access on that road. There is the issue that it is going to his private drive to his house, but he will be responsible for owning and maintaining the road. If other people use it then there is going to have to be an agreement that insures the cost of the maintenance of the road.

Mrs. McKnight stated that the town engineer's comments had suggested there be an easement for anyone who abuts the way. She would like to be sure we handle this properly and would be willing to speak to Town Counsel about it.

Mr. Hayden stated that he agrees with speaking to Town Counsel.

Attorney Kroner asked if the poles are owned by the town or the property owners.

Mr. Hayden stated that they are owned by the utility companies.

Mr. Hayden continued the public hearing until November 30<sup>th</sup> @ 8:00pm.

**Planning Administrator's Update****104 Lowell Road - ANR**

Mrs. McKnight stated that she has scheduled a meeting for November 23<sup>rd</sup> @ 6:45 to vote and sign the ANR plan for 104 Lowell Road.

**299 Main Street/Pluff Avenue**

Mrs. McKnight stated that a letter was emailed to her on November 17<sup>th</sup> from Maureen Thorpe, in regard to TZE @ 299 Main Street and Pluff Avenue. The letter was put into the dropbox for the board's review.

**Charles Street Ext.**

Mrs. Romeo asked what was going on with the Charles Street Ext. subdivision.

Mr. Bellavance stated that there is still no erosion control and it looks like they saw cut the road.

Mrs. McKnight stated that she was asked by Kip to schedule Design Consultants, Inc. every day this week for inspections and then Monday came and went with no Kip. She was informed that he did inform Dave Giangrande he would not be working. On Tuesday there was no work being done on the site. She will now see what happens on Wednesday. She was told by Kip that he had to work on another job and that was why he was unable to work at Charles Street.

Mrs. Romeo stated that the abutters have told her that they will probably not see him until next spring because the snow and winter are going to be coming and no work will be able to get done.

Mrs. McKnight stated that the Public Works Director, Dick Carnevale has already informed him that they would be paving the street this year and once the street is paved; there will be a five year moratorium on any work happening in the street.

Signage/violations

Mrs. McKnight stated that there has been a lot of talk with the board in regard to signage and violations. She has not had the opportunity to speak with the building inspector, in detail about these items.

**3 Gifford Way – bond release**

Mrs. McKnight stated that the town engineer has been out sick, so he has not been able to look at the as-built plan and would like to put this on the next agenda.

**Flash Road-bond release**

Mrs. Romeo moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning commission vote to release the remaining amount of \$990.00 for the roadway improvements to Flash Road.

**Zoning Board of Appeals**

1 Locust Street – On the petition of Carole St. Fleur-Carey for a home occupation special permit to be a virtual administrative assistant.

- The CPC does not object to the request, provided the business adheres to the criteria of §200-42.

50 Haverhill Street – On the petition of Josimar DeOliveira Dias for a home occupation special permit for a painting business.

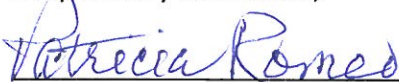
- The CPC does not object to the request, provided the business adheres to the criteria of §200-42.

126 Main Street – On the petition of Francine Coughlin for a special permit to have a dog business with training, daycare and a boarding facility.

- The CPC does not object to the request, provided abutters do not object.

Adjournment at 9:20PM

Respectfully submitted,



Patricia Romeo, Clerk